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| 10/022,559 | 12/14/2001 | Tommy Petrogiannis | 9680.188USU1 | 3770 |

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| EXAMINER |
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POWERS, WILLIAM S

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11/03/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TOMMY PETROGIANNIS, MICHAEL LAURIE,
FRANCOIS LEBLANC, and BENOIT GOUDREAULT-EMOND

Appeal 2011-001258
Application 10/022,559
Technology Center 2400

Before STEVEN J. BARTLETT, *Division 2 Support Manager*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on November 2, 2010. A Docketing Notice was mailed on November 3, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

REPLY BRIEF NOT CONSIDERED

A Reply Brief was filed in this application on November 1, 2010. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to consider the Reply Brief filed November 1, 2010 as indicated above;
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

ELD

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